

REMARKS

The present remarks are in response to the Office Action dated September 14, 2010, in which the Examiner issued a rejection of claims 50, 51, 54-60 and 62. Although the Applicant respectfully disagrees with the Examiner's grounds for rejection, the Applicant has amended independent claims 50 and 57. In view of the claim amendments and remarks, the Applicant respectfully requests that the pending claims be placed in a state of allowance. No new matter has been added.

A. Claim Amendments

The Applicant respectfully disagrees with the Examiner's office action; however, to expedite the prosecution of this patent application, the Applicant has amended independent claims 50 and 57 to incorporate the limitations of dependent claims 55 and 62, respectively.

Claim 50 has been amended to include the limitation, "the proxy server configured to receive a response short message from the wireless communications device that is addressed to an information handling system of the plurality of information handling systems, converts the response short message to an instant message format response message, and sends the instant message response message to the information handling system." Claim 57 has been amended to include the limitations, "the wireless communications device sending a response message transmitted in short message service format to the proxy server and the proxy server converting the response message to instant message format and transmitting the converted response message over the data network." Support for these limitations is provided in Paragraph [0040] of the filed Application.

Additionally, per the Examiner's suggestion, the Applicant has amended claims 50 and 57 to revise "the wireless device" to "the wireless communications device."

The Applicant has also amended the independent claims to revise "the portion of the short message" to "the portion of the intercepted message" to provide proper antecedent basis for the claim limitation. Support for this limitation is provided in Paragraph [0010] of the filed Application.

B. Claim Objections

The Examiner has objected to claims 50 and 57 on the basis that the claims lack proper antecedent basis. The Applicant has amended the limitations “the wireless device” to “the wireless communications device” per the Examiner’s suggestion.

C. Obviousness Rejection (35 U.S.C. § 103)

The Examiner has rejected claims 50-51 and 54-56 under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,714,793 issued to Carey et al. (hereinafter referred to as “Carey”) in view of “Applicant’s Admitted Prior Art” in the Original Specification pages 6-7 (hereinafter referred to as “AAPA”) and U.S. Patent No. 6,564,261 issued to Gudjonsson et al. (hereinafter referred to as “Gudjonsson”). The Applicant respectfully disagrees with the Examiner’s grounds for rejection.

Firstly, the Examiner maintains that Carey teaches a proxy server configured to convert an identifier of a sender of the intercepted instant message to a short message format and sends the converted identifier of the sender to the wireless communications device. Previously, the Examiner relied on column 3, lines 24-27 and 50-66; column 4, lines 11-33; column 5, lines 43-50; column 7, lines 12-22; column 8, lines 19-21; and Figures 1, 6-7, and 9-10 of Carey in support of this assertion. As stated in the response to the previous Office Action, each of these numerous cited portions of Carey fail to teach the limitation. The Examiner has not addressed the Applicant’s argument on this point in the recent Office Action. Rather, the Examiner has in the recent Office Action newly cited column 3, lines 50-66 and column 8, lines 32-40 in support of the assertion.

The Examiner states that Carey teaches that “the server (24) uses a predefined protocol to convert messages between instant message and short message service in which the identifier (e.g., name, phone number, or address) is converted to the format of the message for destination delivery.” However, none of the cited portions of Carey support converting the identifier *of a sender of the intercepted instant message* and sending *the converted identifier* to the wireless communication device, as required by the limitation.

Regarding the new citations, Applicant notes that column 3, lines 50-66 and column 8, lines 32-40 of Carey simply make no reference to an identifier of a sender of an intercepted message. Carey at column 8, lines 19-40 indicates an instant message name entry executable program that allows a user to enter the instant message names of contacts with whom the user desires to communicate. However, Carey fails to indicate that an identifier *of a sender of an intercepted message* is *converted* to short message format and *sent* to a wireless communications device.

Regarding the previously cited sections, the Applicant's arguments are repeated here. At Column 3, lines 24-27, Carey teaches a routing server in communication with a short message service center that is in communication with one or more wireless carriers. At Column 3, lines 50-66, Carey explains the short message protocol. At Column 4, lines 11-33, Carey explains the user registration process and the process for adding buddies in the instant message system. At Column 5, lines 43-50, Carey describes the process for matching a destination number to a user profile and determining an action to take based on the destination number. At Column 7, lines 12-22, Carey teaches preparing an instant message according to a predefined protocol and sending the instant message to the short message service center. At Column 8, lines 19-21, Carey explains that each instant message name in a list corresponds to a phone number assigned to the instant message routing center. Carey simply fails, at the cited locations or elsewhere, to teach converting an identifier of a sender of the intercepted instant message to a short message format and sending the converted identifier of the sender to the wireless communications device.

Next, the Examiner continues to assert that Gudjonsson discloses a proxy server configured to maintain presence information even when a data connection does not exist between the wireless communication device and the wireless network, citing column 3, lines 14-17; column 7, line 53 – column 8, line 30; column 11, lines 32-64; and figures 1-9, 19, and 21 of Gudjonsson. Because the Examiner has not addressed Applicant's arguments in the response to the previous Office Action, they are repeated here.

The Applicant maintains that Gudjonsson does not support the Examiner's opinion. Rather, Gudjonsson fails to cure the deficiencies of Carey. The cited

sections of Gudjonsson merely teach connection servers (col. 8, lines 19-21) that provide services such as: storing "presence data" associated with a user on a database (col. 8, lines 54-56), publishing dynamic user status information to indicate "whether the user is currently online on his/her PC or not" (col. 8, lines 57-60), and providing users with the ability to check whether other users connected to the same connection servers are online (col. 8, lines 61-63).

Gudjonsson repeatedly emphasizes the need for the devices to be connected in order to establish, maintain and monitor presence information. For example, at column 2, lines 20-22, Gudjonsson states "status is usually defined as whether a user is currently connected to the network or not."

Column 7, line 53 to column 8 line 3D, and more specifically col. 8, lines 18-23, state "[e]xternal users 7 and their respective client devices 11 ... can connect to services within the cluster via a special connection service, that typically runs on serve(s) (connection servers) at the boundary of the cluster's firewall 9, and listens for connections on a specific port."

Column 8, lines 53-56, state that the user (not a proxy for the user) has "the ability to define arbitrary sets of data related to that identity ... and this data is referred to herein as "presence" data of the user."

Column 11, lines 32-64, and more particularly lines 38-39, state "the client 11 connects to the corresponding server 3 and establishes a secure connection with it."

Nowhere, and certainly not in the text cited in the action, does Gudjonsson disclose maintaining presence for a user even when that user is not connected. Gudjonsson discloses at column 3, lines 14-17 that "the routing service allows users to send invitations to other users to establish an arbitrary communication session ... over arbitrary networks." But even here it does not say that the routing service or a server will maintain presence on behalf of a user even when that user is not connected. Accordingly, Carey and Gudjonsson, alone or in combination, do not teach all of the limitations of claim 50, nor does Gudjonsson provide any motive to modify the teachings of Carey to achieve the invention as claimed in claim 50.

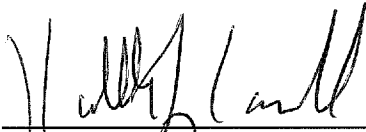
Regardless, to expedite the prosecution of this patent application, the Applicant has amended the independent claims to include the limitations , "the proxy server configured to receive a response short message from the wireless

communications device that is addressed to an information handling system of the plurality of information handling systems, converts the response short message to an instant message format response message, and sends the instant message response message to the information handling system” and “the wireless communications device sending a response message transmitted in short message service format to the proxy server; and the proxy server converting the response message to instant message format and transmitting the converted response message over the data network.” The Examiner cites column 3, lines 24-27 and 50-56; column 7, lines 12-22; and Figures 1 and 6-7 of Carey in support of the assertion that Carey teaches conversion of a response short message an instant message. However, Carey at column 3, lines 24-27 merely teaches one or more short message service centers in communication with one or more wireless mobile carriers. At column 3, lines 50-56, Carey indicates that a data bearer protocol defines the structure of data messages communicated between mobile unit device, the mobile carrier and the short message service center. Neither of these cited portions of Carey indicate a conversion. Carey teaches at column 7, lines 12-22 that a message routing center prepares an instant message according to a protocol and sends the prepared message to a short message service center which forwards the instant message to the mobile carrier. While this section of Carey may indicate conversion of an instant message to short message service format, it fails to indicate conversion of a *response* message from short message service format to instant message format.

D. Conclusion

In view of the foregoing, Applicant respectfully argues that claims 50-51, 54, and 56-60 overcome the Examiner's rejections and objections herein and are now patentably distinct and in condition for allowance, which action is respectfully requested. If necessary, applicant requests, under the provisions of 37 CFR 1.136(a), to extend the period for filing a reply in the above-identified application and to charge the fees for a large entity under 37 CFR 1.17(a). The Director is authorized to charge any additional fee(s) or any underpayment of fee(s) or credit any overpayment(s) to Deposit Account No. 50-3001 of Kyocera International, Inc.

Respectfully Submitted;

Dated: 12/13/2010
Kathleen L. Connell
Reg. No. 45,344

Kathleen L. Connell
IP Counsel, Senior
Kyocera International, Inc.
Attn: Intellectual Property Department
P.O. Box 928289
San Diego, California 92192-8289
Tel: (858) 882-2169
Fax: (858) 292-1614